

Remarks

Reconsideration of this Application is respectfully requested.

Applicant respectfully requests consideration of this Reply Under 37 C.F.R. § 1.116, because the attached Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Second Application with respect to U.S. Patent Application No. 09/339,506 and the attached Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Second Application with respect to U.S. Patent Application No. 10/786,361 collectively place this Application in condition for allowance.

Claims 40-57 and 61-64 are pending in the application, with claims 40 and 49 being the independent claims. Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Double Patenting

The Office Action provisionally rejected claims 40-57 and 61-64 "under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of copending Application No. 09/339,506." (Office Action at p. 2.)

Applicant has filed herewith a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Second Application with respect to U.S. Patent Application No. 09/339,506, thereby rendering these rejections moot. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove his provisional

rejections of claims 40-57 and 61-64 under the judicially created doctrine of obviousness-type double patenting with respect to U.S. Patent Application No. 09/339,506.

The Office Action also provisionally rejected claims 40-57 and 61-64 "under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-26 of copending Application No. 10/786,361." (Office Action at p. 3.)

Applicant has filed herewith a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Second Application with respect to U.S. Patent Application No. 10/786,361, thereby rendering these rejections moot. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove his provisional rejections of claims 40-57 and 61-64 under the judicially created doctrine of obviousness-type double patenting with respect to U.S. Patent Application No. 10/786,361.

Outstanding Information Disclosure Statements

Applicant thanks the Examiner for indicating in the Office Action his consideration of the documents identified in the Information Disclosure Statement (IDS) that was timely filed on September 30, 2004. Applicant respectfully requests that the Examiner indicate his consideration of the documents identified in the IDSs that were timely filed on April 8, 2005, and April 26, 2005. ***Applicant respectfully requests that the Examiner return to Applicant's representatives copies of each of the Forms PTO-1449 upon which the Examiner has indicated his consideration of the***

documents identified therein in the IDSs submitted on September 30, 2004, April 8, 2005, and April 26, 2005. Extra copies of these Forms PTO-1449 are attached herewith for convenience.

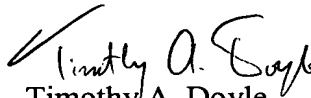
Conclusion

All of the stated grounds of rejection have been rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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